

HOUSE COMMITTEE ON EDUCATION

May 18, 1993           Hearing Room E 1:30 p.m.   Tapes 78 - 79

MEMBERS PRESENT:   Rep. Carolyn Oakley, Chair Rep. Jim Whitty, Vice-Chair  
Rep. John Meek Rep. Patti Milne Rep. John Schoon Rep. Larry Sowa Rep.  
Sharon Wylie

STAFF PRESENT:           Linda Sample Brown, Committee Administrator  
Carolynn Gillson, Committee Assistant

MEASURES CONSIDERED: HB 2091 - Deletes criminal penalty for failure  
to send child to school, Poss. Reconsid. & WRK HB 2468 - One-way  
transp. for kindergarten students in half-day prog., WRK HB 3332 - Est.  
curriculum & stds for sex ed courses, PUB HB 3338 - Est. curriculum for  
sex ed & family life classes, PUB Recommendation on proposal to relocate  
Sch for the Blind

[--- Unable To Translate Graphic ---]

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes. [--- Unable To Translate Graphic  
---]

TAPE 78, SIDE A

004    REP. CAROLYN OAKLEY, Chair:   Calls meeting to order at 1:40 p.m.

Possible Reconsideration on HB 2091

013   SAMPLE BROWN, Committee Administrator: The bill is back before  
the committee because of an accounting problem with the fines going into  
the Common School Fund. HB 2091-3 amendment (EXH. A) allows the money  
to go into a general assessment fund which satisfies the requirement  
that schools not profit from it.

MOTION: Rep. Whitty moves to suspend the rules for purposes of  
reconsideration of HB 2095. VOTE: In a roll call vote, the motion  
carries with all members voting AYE. MOTION: Rep. Whitty moves to  
reconsider the vote to by which the referred HB 2091 as amended to the  
floor with a do pass recommendation. VOTE: In a roll call vote, the  
motion carries with all members voting AYE.

Work Session on HB 2091

047   CHAIR OAKLEY: Refers to language on page 3, lines 10 and 11,  
which specifies where the funds should be deposited. A fiscal analysis  
was prepared on the bill (EXH. B). MOTION: Rep. Whitty moves to adopt  
the amendments. > There is no objection. MOTION: Rep. Meek moves HB  
2091 as amended to the floor with a do pass recommendation. VOTE:  
In a roll call vote, the motion carries with all members present  
voting AYE. Carrier: Rep. Schoon.

Work Session on HB 2468

065 BROWN: The HB 2468-1 (EXH. C) requested by Rep. Schoon assures that every reasonable effort will be made to coordinate information concerning carpooling so any child who wished to attend kindergarten would be able to do so. A fiscal analysis was prepared on the bill (EXH. D).

MOTION: Rep. Schoon moves to adopt the amendment. VOTE: In a roll call vote, the motion carries with Reps. Sowa, Whitty and Wylie voting NAY.

084 REP. JIM WHITTY: How does liability on schools factor into this?

CHAIR OAKLEY: Explains how some school districts will benefit from the bill.

106 REP. SHARON WYLIE: Feels the school needs to provide transportation and it cannot be left to chance.

127 MARV EVANS, COSA: Have not considered liability question before. As a superintendent, I would take certain precautions to minimize the liability problem.

Public Hearing on HB 3332 and 3338 Roberta Hutton, Department of Education (DOE) Greg McMurdo, DOE Bill Casey, Traditional Values Coalition of Oregon Maura Rouche, Planned Parenthood Affiliates of Oregon (PPOA) Gail Nelson, Parents Education Assoc.

168 CHAIR OAKLEY: The committee does not feel all the concerns were addressed at the first public hearing on the bills.

207 ROBERTA HUTTON, assistant superintendent, Curriculum, DOE: The current statute language is permissive and there is no required or mandatory piece. School districts that have instruction in human sexuality must develop procedures for selection of materials, for notifying parents and for allowing parents to exempt their children from such instruction. > In the DOE's OAR 22.413 requiring HIV/AIDS instruction, there is language outlining what the curriculum should include, beginning with abstinence. > Common curriculum goals are not specific in regards to human sexuality. The is no DOE curriculum. > Describes the comprehensive curriculum manual published by the Health Division and none of it is mandatory. Portland curriculum is as comprehensive as any in the state.

280 GREG McMURDO, DOE: The State Board and the DOE feel this should be a local control issue.

288 REP. WHITTY: This bill deals with measurement of success. Is there any way to measure the success of current curriculum?

McMURDO: I don't believe there is now nor would there be under this bill a way to measure success. There is no way we could put something in place by September as specified in Sections 3 and 4. Since we cannot distinguish between what might be learned in the classroom versus outside influences, there is no way we can report to the next legislative assembly.

REP. WHITTY: I guess you would have to see if the pregnancy rate, number of sexually transmitted diseases and HIV cases decrease as a result of teaching the curriculum. How do you measure sexual promiscuity?

McMURDO: There are also issues of confidentiality when collecting that data.

334 REP. MILNE: It seems schools gather information on success in other areas. How is it done?

HUTTON: The statistics that are gathered are not school specific. Confidentiality laws seem to prohibit schools from asking the personal questions that would be necessary.

REP. SOWA: I remember seeing data collected at teen clinics.

HUTTON: Data is collected from teen clinics by health departments and not by the DOE.

396 REP. MEEK: In Section 3, the DOE is directed to develop procedures and methods of measurement. Wouldn't one of those procedures be accumulating data?

HUTTON: Collecting information by school or district is different than gathering that information in a broader context. We participate each year in the youth risk behavior survey which is done with the Health Division and requires school and parent approval. None of the questions are directly related to the curriculum. There is so much information available to students, it would be difficult to sort out the sources used.

432 REP. MEEK: We still need to start gathering that information so we can get a handle on how to start an educational process and procedure.

TAPE 79, SIDE A

012 McMURDO: This bill only requires the school districts and DOE to report on the significance of the curriculum. I don't know how we can get a handle on what behavior is modified through the curriculum.

HUTTON: The youth behavior survey does establish where there are youth behavior trends. It does not look at it on a school by school basis or tie it to curriculum.

073 BILL CASEY, Traditional Values Coalition of Oregon: This law passed in California in 1989 and since then several states have emulated it. It was HB 3411 in Oregon in 1991. > The purpose of the bill is to emphasize abstinence in sex education curriculum. > There is currently a DOE administrative rule which promotes abstinence. It is simply not enough.

CHAIR OAKLEY: How does HB 3338 differ from the bill passed in California?

CASEY: The monitoring requirements in California are left up to individual school districts. Had some positive results when accompanied with follow-up in the local community.

155 REP. WHITTY: The DOE says there is no way it can measure the effectiveness of this legislation.

CASEY: We are making some progress in the number of teen parents and sexual diseases.

REP. WHITTY: If you are not starting this education at any particular grade level, will the school districts incorporate this in their current instruction.

CASEY: The bill says the material should be age-appropriate. Local school districts will need to determine what is age appropriate in their schools and the bill does not need to be specific about age.

223 MAURA ROUCHE, Planned Parenthood Affiliates of Oregon (PPAO): Opposes both bills because they are problematic and abstinence is already addressed in administrative rules. > It is difficult to measure both contraception use and the teen pregnancy rate.

272 GAIL NELSON, Parents Education Assoc.: We need to give teens the tools to encourage them to make a commitment to abstinence and remain committed to that decision. We need to measure how much time is spent teaching kids this type of information and how to deal with different situations.

320 CHAIR OAKLEY: We need to see how the legislation is working in California. > Testimony on the sex education curriculum in the Portland Public School (EXH. E).

School for the Blind proposal Greg McMurdo, Department of Education (DOE) Steve Rhoten, OTAC Architects Rick Burke, DOE

364 CHAIR OAKLEY: Explains the Appropriations Committee has requested the Education Committee to consider a recommendation to combine the School for the Deaf and the School for the Blind as proposed in HB 2092.

395 GREG McMURDO, DOE: Reviews background on the proposal presented to the House Education Committee on April 20. > The Mayor of the Salem, the Salem Transit District and the Highland Neighborhood have been supportive of the proposal. > Who pays for street improvements is at issue right now. It is the state's responsibility, not the property owners, to pay for the improvements. We hope community block grant funds are available for sidewalk repairs.

TAPE 78, SIDE B

039 REP. MILNE: Concerned about sidewalk and street improvements and student safety.

McMURDO: Goes into more detail on the sidewalk and street repairs. Safety of the students has been their first concern. Capitol Planning Commission have conditionally approved the proposal.

087 STEVE RHOTEN, OTAC Architects: Shows the members the site plans and floor plans for the proposed project. Explains their first concern has been safety for the students. > Two distinct and separate campuses on 54 acres. > Goes into more detail about the plans and responds to members' questions of members.

232 RHOTEN: Reviews the building plans in more detail.

343 CHAIR OAKLEY: What are the anticipated costs of the project?

RHOTEN: Approximate construction costs are \$6.3 million with 8 to 10

percent contingencies which make it close to \$7 million. It includes the renovation of existing structures.

358 REP. MILNE: Requests more information on costs.

RHOTEN: Talks about existing structure sizes, new structure sizes and costs. > Talks about off-site costs and architectural engineering fees.

418 REP. MEEK: Have possible grants been looked at?

McMURDO: We have not looked at grants for construction of this facility. The Department of General Services has valued the current School for the Blind property at \$4 million. A private appraisal is not available yet. There are 7.4 acres of prime land and 90,000 square feet of existing building space.

TAPE 79, SIDE B

023 RICK BURKE, DOE: The issue is to define the difference between the proceeds from the sale and the total project cost so we can discuss with the Appropriations Committee a method to close the gap. One way that has been discussed is debt financing through certificates of participation (COPs). The proceeds of the sale will eventually have go to fund the capital construction costs.

McMURDO: We have not got a sense from Appropriations on how they would like to fund the difference. > Notes with the move there will be a biennial savings of \$1.1 million in maintenance costs. > Construction and renovation will begin as soon as building permits and approval of the Capital Planning Commission are obtained. Hope to have the facility open by July, 1994.

070 REP. MEEK: Debt financing always has a cost.

REP. MILNE: The purpose of putting these two schools together was to save money and be more proficient in providing programs. This is a substantial debt at a time when the states does not have any money.

McMURDO: Explains how the difference between the proceeds from the sale and construction costs could be made up in three biennium. > Capacity at both schools will be reduced under the Governor's budget

REP. MILNE: Will the capacity of the combined schools increase or decrease?

McMURDO: We could not keep the current service level in a combined school without additional funds.

138 REP. WYLIE: Outlines policy decisions the committee needs to address and possible responses. > Prefers seeing matrix showing different funding scenarios before getting more specific about committee's opinion.

McMURDO: Those questions are to be addressed by the Appropriations Committee and this committee was going to look at the feasibility and advisability of the project.

REP. WYLIE: Keeping both schools on a combined campus is a reasonable concept.

210 Committee takes recess at 3:15 and continues at 3:25 p.m.

214 CHAIR OAKLEY: The committee agrees the two facilities should be combined. We are concerned about using the sale proceeds together with COPS to finance the project.

BURKE: Suggests make a conceptional decision and then distill the costs through the Legislative appropriation process. We are really talking about a cash flow to get started with construction and anticipate repayment of startup costs. If a debt finance instrument is necessary, make it no bigger than it has to be and remember there will be a \$1 million maintenance savings over all,

Written testimony opposing the proposal to move the School for the Blind is submitted by the Oregon Council of the Blind (EXH. F).

268 CHAIR OAKLEY: We are merely making a recommendation to Appropriations Committee.

MOTION: Rep. Meek moves to draft a letter to the Appropriations Committee supporting the Department of Education's proposal to combine the School for the Deaf and the School for the Blind, and for the DOE to proceed with assessment evaluation of the current property and used the money from the sale to offset the indebtedness for development of the new campus.

338 REP. SOWA: Proposes having an appraisal of the property and allocate that amount of money for the improvements at the School for the Deaf property.

McMURDO: Appraisal will not be publicly announced because of the effect on the sale.

356 REP. MILNE: Supports in concept combining the schools, but uncomfortable with the financing arrangement. Realizes it is up to Appropriations.

VOTE: In a roll call vote, the motion carries with all members voting AYE.

382 CHAIR OAKLEY: Adjourns meeting at 4: 35 p.m.

Reviews and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - HB 2091-3 amendment - committee staff - 3 pages B - Fiscal analysis on HB 2091-1 - LFO - 1 page C - HB 2468-1 amendment - Rep. Schoon - 1 page D - Fiscal analysis on HB 2468-1 - LFO - 1 page E - Testimony on HB 3332 - Portland Public Schools - 4 pages F - Testimony on School for the Blind proposal - 8 pages